

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**July 7, 2005**

DIVISION ONE

B172447      Galan Alexander                      (Not for Publication)  
                 v.  
                 City of Compton

The judgment is affirmed.

Mallano, J.

We concur:    Spencer, P.J.  
                     Rothschild, J.

B170771      Mosebay                                      (Not for Publication)  
                 v.  
                 Mony Life Insurance Company

The judgment is affirmed.

Mallano, J.

We concur:    Spencer, P.J.  
                     Boren, J. (Assigned)

DIVISION TWO

B175102 People (Not for Publication)  
v.  
Lepore

The judgment is affirmed.

Ashmann-Gerst, J.

We concur: Boren, P.J.  
Doi Todd, J.

B174700 People (Not for Publication)  
v.  
Shorter

The judgment is affirmed.

Ashmann-Gerst, J.

We concur:   Boren, P.J.  
                  Doi Todd, J.

B178362      In re K.J.      (Not for Publication)  
Los Angeles County, D.C.S.  
v.  
N.J.

The juvenile court order is affirmed and the matter is remanded for the Department to comply with the notice requirements of the ICWA. If N.G. and K.J. are determined to be Indian children and the ICWA applies to these proceedings, mother is then entitled to petition the juvenile court to invalidate orders which violated title 25 United States Code sections 1911, 1912, and 1913. (See 25 U.S.C. § 1914; Cal. Rules of Court, rule 1439(n)(1).)

Ashmann-Gerst, J.

We concur: Doi Todd, Acting P.J.  
Nott\*, J. (Assigned)

July 7, 2005 (Continued)

## DIVISION TWO (Continued)

B179903      In re S.C.J.      (Not for Publication)  
 Los Angeles County, D.C.S.  
 v.  
 Willie J. et al.

The judgment is affirmed.

Ashmann-Gerst, J.

We concur: Doi Todd, Acting P.J.  
Nott, J. (Assigned)

B182676      Rebecca R.      (Not for Publication)  
v.  
Superior Court, Los Angeles County  
Department of Children and Family Services (RPI)

The petition for writ of mandate is denied, and the order to show cause is discharged.

Ashmann-Gerst, J.

We concur: Boren, P.J.  
Nott, J. (Assigned)

B176994      Vandervoort      (Not for Publication)  
v.  
Wilner

The judgment of the trial court is affirmed. Vandervoort is entitled to costs on appeal.

Ashmann-Gerst, J.

We concur:   Boren, P.J.  
                  Nott, J. (Assigned)

July 7, 2005 (Continued)

DIVISION THREE

B174847 Kimberly A. Martin et al. (Not for Publication)  
v.  
Snapple Beverage Corp.

The judgment is affirmed. Respondent(s) to recover costs.

Croskey, J.

We concur: Klein, P.J.  
Kitching, J.

DIVISION FOUR

B178161      Tsai      (Not for Publication)  
v.  
Franceschi et al.

The order denying the special motion to strike is affirmed. Tsai is to have her costs and fees on appeal, to be determined by the trial court on remand.

Epstein, P.J.

We concur: Curry, J.  
Willhite, J.

B168558      Landfill Holdings, LLC et al.      (Not for Publication)  
v.  
Newhall Land and Farming Company et al.

The judgment is reversed as to the first, second and third causes of action , and is affirmed as to the fourth and fifth causes of action. The parties are to bear their own costs on appeal.

Epstein, P.J.

We concur: Hastings, J.  
Curry, J.

July 7, 2005 (Continued)

## DIVISION FOUR (Continued)

B174551 People (Not for Publication)  
v.  
Hernandez

We reverse the sentence enhancement under section 186.22, subdivision (b)(1)(B). The judgment is affirmed in all other respects, and the case is remanded to the superior court for entry of a new judgment consistent with this opinion.

Epstein, P.J.

We concur: Hastings, J.  
Curry, J.

B175173 North Beverly Park Homeowners Association  
v.  
Bisno et al.

Filed order denying petition for rehearing.

## DIVISION SEVEN

Court convened at 9:00 a.m.

Present: Perluss, P.J., Johnson, J., Woods, J., Zelon, J. and Eva McClintock, Deputy Clerk.

Each of the following:

B171997	People v. Hicks
B173989	People v. Mitchell
B174493	People v. Espinoza
B175017	People v. Pitts
B175132	People v. Chairez
B175270	People v. Wimberly
B175711	People v. Fuentes

DIVISION SEVEN (Continued)

Each of the following (continued):

B176159     People v. Gonzalez  
B176271     People v. Mitchell  
B177277     People v. Smith

Argument waived, cause submitted.

B175604     People  
                 v.  
                 Moore

Merits:

Argued by Joanna McKim for appellant and by Robert Breton, Deputy Attorney General for respondent. Cause submitted.

B173340     People  
                 v.  
                 Garcia and Sanchez

Merits:

Argued by Manuel Lopez for appellant and by Robert Breton, Deputy Attorney General for respondent. Appellant Sanchez waived oral argument. Cause submitted.

B175896     People  
                 v.  
                 Garcia

Merits:

Argued by William Flenniken for appellant and by Rama Maline, Deputy Attorney General, for respondent. Cause submitted.

DIVISION SEVEN (Continued)

B176360     People  
              v.  
              Guan

Merits:

Argued by Charles Matthews for appellant and by Herbert Tetef, Deputy Attorney General, for respondent. Cause submitted.

B173238     People v. Perrine  
B177832     People v. Perrine

Merits:

Argued by Nancy Tetreault for appellant and by John Yang, Deputy Attorney General, for respondent. Cause submitted.

B162038     Askari  
              v.  
              Sahakian

Merits:

Argued by Maroot Sahakian, appellant in propria persona and by Steven Garcia for respondent. Cause submitted.

B174431     Hubner  
              v.  
              Hubner

Merits:

Argued by Roy McCullough for appellant and by Judith Shapiro for respondent. Cause submitted.

July 7, 2005 (Continued)

DIVISION SEVEN (Continued)

B175371     Pair  
              v.  
              Moghavem  
              Tepper

Merits:

Argued by Steven Richman for appellant, by Shelly Shafron for respondents Moghavem and by Michael Koomer for respondent Tepper. Cause submitted.

Johnson, J. leaves the bench.

B174043     Raby  
              v.  
              Anderson Worldwide

Merits:

Argued by Nancy Abrolat for appellant and by Wayne Flick for respondents. Cause submitted.

B177273     Hermann  
              v.  
              Bottini

Merits:

Argued by Eileen Hermann, appellant in propria persona and by Jeffrey Erdman for respondents. Cause submitted.

Court recessed at 12:20 p.m.

Court reconvened at 1:30 p.m.

Present: Perluss, P.J., Johnson, J., Woods, J., Zelon, J. and Eva McClintock, Deputy Clerk.



DIVISION SEVEN (Continued)

B173050      People v. Jenkins

Argument waived, cause submitted.

B172979      Lincoln Place Tenants

v.

City of Los Angeles et al.,

Merits:

Argued by Susan Brandt-Hawley for appellant and by Kim Westoff and Greg Ozhekim for respondents. Cause submitted.

B174028      20th Century Architecture Alliance, et al.

v.

City of Los Angeles et al.

Merits:

Argued by Jan Chatten-Brown for appellants and by Susan Pfann and Greg Ozhekim for respondents. Cause submitted.

B167722      Pagarigan et al.,

v.

Aetna Health

Merits:

Argued by Carol Jimenez for appellants and by Kirk Patrick for respondent. Cause submitted.

Court adjourned.